



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

Board of Supervisors
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First District

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Fifth District

February 15, 2005

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RECOMMENDATION TO SPONSOR LEGISLATION EXEMPTING THE POSITION
OF THE FIRE CHIEF FROM THE MANDATORY RETIREMENT PROVISION
(ALL DISTRICTS AFFECTED) (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Sponsor or support legislation amending provisions of the County Employees Retirement Law (CERL) of 1937 so that the position of Fire Chief is exempt from the mandatory retirement provisions, and
2. Direct my office and County Counsel to develop legislative language to amend the appropriate law with an effective date no later than July 31, 2005.

PURPOSE OF RECOMMENDED ACTION

Under current law, if the Fire Chief became a member of the LACERA Safety Retirement prior to 1997, the Chief is required to retire at the age of 60. We are recommending that current CERL law be amended so that the Board of Supervisors may appoint any candidate for Fire Chief regardless of when the individual becomes a member of LACERA Safety Retirement program.

Honorable Board of Supervisors
February 15, 2005
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FISCAL IMPACT AND FINANCING

This will not have a significant impact.

IMPACT ON CURRENT SERVICES


The appointment of Department Heads is a Board of Supervisors right and responsibility which should be preserved to the fullest extent possible. With the exception of the Forester and Fire Warden (Fire Chief), all appointed Department Head positions are filled, and their tenure maintained, at the discretion of the Board of Supervisors.

The current CERL statute limits the Board's authority and discretion with respect to this one Department Head position.

CONCLUSION

By amending current law, the Board will be able to appoint or retain any qualified candidate. The proposed amendment would apply to all 1937 CERL counties.

Respectfully submitted,


DAVID E. JANSSEN
Chief Administrative Officer

DEJ:GK
MAL:JF:JL:

c: County Counsel